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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS BRIEF ON THE
DILIGENCED EMPLOYEES' WAIVER
OF ATTORNEY-CLIENT PRIVILEGE
FOR MATERIALS PROVIDED TO
THIRD-PARTY STROZ FRIEDBERG**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its brief on the Diligenced Employees’ waiver of attorney-client privilege for materials provided to third-party Stroz Friedberg. (“Waymo’s brief”). Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

| Document | Portions to Be Filed Under Seal | Designating Party |
|----------------------------|---------------------------------|--|
| Waymo’s brief | Highlighted in blue | Defendants and/or Anthony Levandowski |
| Exhibit 1 to Waymo's brief | Entire document | Defendants and/or Anthony Levandowski |
| Exhibit 2 to Waymo’s brief | Entire document | Defendants and/or Anthony Levandowski |
| Exhibit 3 to Waymo’s brief | Entire document | Defendants and/or Anthony Levandowski and/or other third-parties |
| Exhibit 4 to Waymo's brief | Entire document | Defendants |
| Exhibit 5 to Waymo's brief | Entire document | Defendants |
| Exhibit 6 to Waymo’s brief | Entire document | Anthony Levandowski |
| Exhibit 7 to Waymo’s brief | Entire document | Other third-party |

I. LEGAL STANDARD

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

II. DEFENDANTS AND/OR ANTHONY LEVANDOWSKI’S AND/OR OTHER THIRD-PARTIES CONFIDENTIAL INFORMATION

Waymo seeks to seal these documents only because Defendants and/or non-party Anthony Levandowski and or other third-parties have designated the information confidential and/or highly confidential. Declaration of Lindsay Cooper (“Cooper Decl.”) ¶ 3. Waymo takes no position on the merits of sealing the designated material and expects Defendants and/or Mr. Levandowski and/or other third-parties to file one or more declarations in accordance with the Local Rules.

III. CONCLUSION

In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the

1 above listed documents accompany this Administrative Motion. For the foregoing reasons,
2 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

3 DATED: September 21, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

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5 By /s/ Charles K. Verhoeven

Charles K. Verhoeven

6 Attorneys for WAYMO LLC
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